IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRITS No. 7055 of 2003

LAXMI NARAIN
V/S
DISTT. JUDGE & ORS

Mr. M.S.Purohit, for the appellant / petitioner

Date of Order : 11.8.2004

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner. Perused the impugned order, Annexure-3.

The learned trial Court has positively found that the petitioner does not appear to be serious about the application, inasmuch as, the petitioner has only produced the copy of the alleged Will, and that also after being given number of opportunities, rather even after the arguments were over, with the result that the other party had no opportunity to say anything in that regard. It has also been noticed that the other requisite particulars, regarding the Will, have also not been given, as to before whom, the Will was attested. Not only this, even till the date, the original Will has not been produced in the Court below. It is, in these circumstances, the learned trial Court has rejected the petitioner's application, being bereft of bona-fides. Nothing has been shown to me by the learned counsel for the petitioner, as to how these findings are vitiated on the grounds available under Article 226 jurisdiction.

Thus, I don't find any force in the writ petition. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

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